



Patent Docket P0378P3C6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Donogh P. O'Brien et al. Serial No.: 09/924,857 Filed: August 8, 2001 For: METHOD AND THERAPEUTIC COMPOSITIONS FOR THE TREATMENT OF MYOCARDIAL INFARCTION	Group Art Unit: 1644 Examiner: not yet assigned CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on November <u>13</u> , 2002 <u>Ann Savelli</u> Ann Savelli
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TRANSMITTAL LETTER

Assistant Commissioner of Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

1. Application Data Sheet
2. Copy of Response to Request for Corrected Filing Receipt Mailed 01/15/02
3. Copy of the Request for a Corrected Filing Receipt Mailed 10/17/01

Applicants are providing an Application Data Sheet to complete the Request for Corrected Filing receipt as suggested by the Patent Office. In the event any additional fees are due in connection with the filing of these documents, the Commissioner is authorized to charge such fees to our Deposit Account No. 07-0630.

Respectfully submitted,

GENENTECH, INC.

Date: November 13, 2002

By: Elinor Shin

Elinor Shin

Reg. No. 43,117

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09157

PATENT TRADEMARK OFFICE



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09924857	08/08/01	O'BRIEN et al.	P0378P3C6

GENENTECH, INC.
1 DNA WAY
SOUTH SAN FRANCISCO, CA 94080

Date Mailed: 01/15/02

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT**Publication and General Rules Issues**

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The articles such as "a", "an", and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- ☐ The words "new", "improved", "improvement of", "improvement in", or "improvement relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement. See MPEP 606.
- ☐ The title appears on the filing receipt in sentence case for publication in the Annual Index of Patents.
- ☐ Amendments are not accepted in provisional applications. See 37 CFR 1.53(c).
- ☒ An amendment or Application Data Sheet is needed to make this change.
- ☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. See MPEP 605.02.
- ☐ Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an amendment or Application Data Sheet.

☐ Small entity status was previously claimed in this application. To notify the Office of a loss of entitlement to small entity status, see 37 CFR 1.27(g). To have a good faith error in claiming small entity status excused, see 37 CFR 1.28(c).

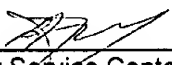
☐ The request for non-publication was not timely filed. A request for non-publication must be submitted upon filing of an application. The application is scheduled to be published on the date specified on the filing receipt.

☐ The request for non-publication has not been recognized because it is not conspicuous as required by 37 CFR 1.213.

☐ There was no prior request for non-publication in this application. The request to rescind the non-publication request will not be processed.

☐ Your request for non-publication will not be acknowledged because this application is not eligible for publication. Only utility and plant applications filed on or after November 29, 2000 are eligible for publication.

☐ The "Non-Publication Request" indicator is correct. If there was a proper request submitted at the time of filing, the notation on the filing receipt will be "Yes". If no such request was made, the notation will be "No".

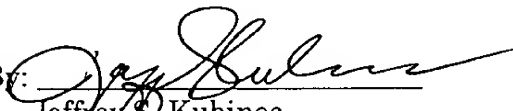


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under 37 CFR 1.19(h) is applicable. Please charge Deposit Account 07-0630 in the amount of \$25.00 to cover the cost.

Respectfully submitted,
GENENTECH, INC.

Date: October 17, 2001

By: 
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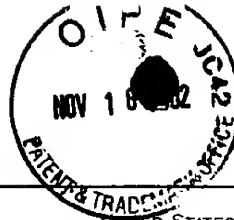
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/924,857	08/08/2001	1644	710	P0378P3C6	9	1	1

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GENENTECH, INC.
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CONFIRMATION NO. 3539

FILING RECEIPT



OC000000006505033

Date Mailed: 08/31/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

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Assignment For Published Patent Application

Genentech, Inc.;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 08/476,837 06/07/1995 PAT 6,274,142
WHICH IS A CON OF 08/260,662 06/16/1994 PAT 5,589,173
WHICH IS A CON OF 08/076,280 06/11/1993 ABN
WHICH IS A CON OF 07/887,575 05/18/1992 ABN
~~WHICH IS A CIP OF 07/237,595 08/25/1988 ABN~~ WHICH IS A CON OF 07/237,595 08/25/1988 ABN
WHICH IS A CIP OF 07/209,665 06/21/1988 ABN
~~WHICH IS A CIP OF 06/926,977 11/04/1986 ABN~~ WHICH IS A CIP OF 07/110,255 10/20/87 ABN
WHICH IS A CIP OF 06/926,977 11/04/1986 ABN

Foreign Applications

If Required, Foreign Filing License Granted 08/30/2001

Projected Publication Date: 12/13/2001

Non-Publication Request: No

Early Publication Request: No